

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05CV252-03-MU

RONALD EDWARD DEESE,)
)
 Petitioner,)
)
 v.)
)
THEODIS BECK,)
)
 Respondent.)

)

ORDER

THIS MATTER comes before the Court upon Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, filed May 31, 2005 (Document No. 1.)

After careful review of the Petition and case file, the undersigned finds that the Attorney General should file an Answer detailing and responding to Petitioner's allegation contesting the length of his sentence based upon his plea agreement. Based upon the Petition, the Court is unable to determine whether the Petitioner has exhausted his state court remedies or whether this Petition has been timely filed. Therefore, in addition to addressing the Petitioner's claim, the Court directs the Attorney General to include a discussion of timeliness and exhaustion in the Answer.

THEREFORE, IT IS HEREBY ORDERED that, no later than forty (40) days from the filing of this Order, the Attorney General shall file an Answer to Petitioner's Petition for Writ of Habeas Corpus, detailing and responding to Petitioner's allegation and addressing whether Petitioner exhausted his state court remedies and whether his May 31, 2005 Petition has been timely filed.

Signed: June 9, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

